

ANALYSIS

This ordinance amends Title 8 – Consumer Protection and Business Regulations relating to fees and fee category definitions for inspections conducted by the Department of Public Health by:

- Creating new and modifying existing Title 8 definitions relating to public health fees and business categories to make them consistent with definitions found in current State laws and regulations;
- Creating new Title 8 public health license, permit, and service fees pursuant to recently adopted State laws and regulations; and
- Modifying existing Title 8 public health license, permit, and service fees to reflect technical and non-substantive changes.

JOHN F. KRATTLI
County Counsel

By



GRACE V. CHANG
Principal Deputy County Counsel
Health Services Division

GVC:vn

Requested: 5/10/13
Revised: 7/02/13

ORDINANCE NO. _____

An ordinance amending Title 8 – Consumer Protection and Business Regulations of the Los Angeles County Code, relating to fees and fee category definitions for inspections conducted by the Department of Public Health.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 8.04.063 is hereby deleted in its entirety:

~~8.04.063 – Boarding home.~~

~~"Boarding home" means any premises, structures, or portion thereof (except any hospital or other health facility as defined in Section 1250 of the Health and Safety Code and except any mental or alcoholic institution licensed by the state of California), used or intended to be used as a place where sleeping or rooming accommodations are furnished to the whole or any part of the public, with or without compensation and with or without meals, for five or more persons who are unrelated to the operator. "Boarding home" includes, but is not limited to, a rooming house, home for the aged, sober living facility, boarding house, lodging house, and bed and breakfast facility.~~

SECTION 2. Section 8.04.060 is hereby added to read as follows:

8.04.060 - Boarding home.

"Boarding home" means any premises, structures, or portion thereof (except any hospital or other health facility as defined in Section 1250 of the Health and Safety Code and except any mental or alcoholic institution licensed by the state of California), used or intended to be used as a place where sleeping or rooming accommodations are furnished to the whole or any part of the public, with or without compensation and with

or without meals, for five or more persons who are unrelated to the operator. "Boarding home" includes, but is not limited to, a rooming house, home for the aged, sober living facility, boarding house, lodging house, and bed and breakfast facility.

SECTION 3. Section 8.04.063 is hereby added to read as follows:

8.04.063 – Body art bloodborne pathogens exposure control training approval.

"Body art bloodborne pathogens exposure control training approval" means the triennial review, audit, and approval of a training provider's Body Art Bloodborne Pathogens Exposure Control Training evidencing its compliance with the criteria in California Health and Safety Code section 119307.

SECTION 4. Section 8.04.087 is hereby amended to read as follows:

8.04.087 – Community event.

"Community event" means an event which is of a public, civic, political, or educational nature, including state and county fairs, city festivals, circuses, carnivals, certified farmers markets and other public gathering events approved by the County health officer.

SECTION 5. Section 8.04.95 is hereby added to read as follows:

8.04.95 – Cottage food operation.

"Cottage food operation" means an enterprise within the registered or permitted area of a private home where the cottage food operator resides and where cottage food products are prepared or packaged for direct, indirect, or direct and indirect sale to consumers. The enterprise shall not have more than one full-time equivalent cottage

food employee, not including a family or household member of the cottage food operator, and shall not have gross annual sales that exceed the amounts specified in this section. In 2013, the enterprise shall not have more than thirty-five thousand dollars (\$35,000) in gross annual sales in the calendar year. In 2014, the enterprise shall not have more than forty-five thousand dollars (\$45,000) in gross annual sales in the calendar year. Commencing in 2015, and each subsequent year thereafter, the enterprise shall not have more than fifty thousand dollars (\$50,000) in gross annual sales in the calendar year.

SECTION 6. Section 8.04.96 is hereby added to read as follows:

8.04.96 – Cottage food operation – Class A.

"Cottage food operation, Class A" means a cottage food operation that may engage only in direct sales of cottage food products from the cottage food operation or other direct sales as described under the definition of "direct sale," as set forth in section 8.04.106.

SECTION 7. Section 8.04.97 is hereby added to read as follows:

8.04.97 – Cottage food operation – Class B.

"Cottage food operation, Class B" means a cottage food operation that may engage in both direct sales and indirect sales of cottage food products from the cottage food operation, from direct sales venues including those described within the definition of "direct sale," as set forth in section 8.04.106, from offsite events, or from a third-party retail food facility described under the definition of "indirect sale," as set forth in section 8.04.272.

SECTION 8. Section 8.04.106 is hereby added to read as follows:

8.04.106 – Direct sale.

"Direct sale" means a transaction between a cottage food operation operator and a consumer, where the consumer purchases the cottage food product directly from the cottage food operation. Direct sales include, but are not limited to, transactions at holiday bazaars or other temporary events, such as bake sales or food swaps, transactions at farm stands, certified farmers' markets, or through community-supported agriculture subscriptions, and transactions occurring in person in the cottage food operation.

SECTION 9. Section 8.04.172 is hereby added to read as follows:

8.04.172 – Food processing establishment, low risk.

"Food processing establishment, low risk" means a food processing establishment, as defined in Section 8.04.170, containing less than six thousand (6,000) square feet, that does not process as a final product potentially hazardous food, as defined by law.

SECTION 10. Section 8.04.272 is hereby added to read as follows:

8.04.272 – Indirect sale.

"Indirect sale" means an interaction between a cottage food operation operator, a third-party retailer, and a consumer, where the consumer purchases cottage food products made by the cottage food operation from a third-party retailer that holds a valid permit issued pursuant to California Health and Safety Code section 114381. Indirect

sales include, but are not limited to, sales made to retail shops or to retail food facilities where food may be immediately consumed on the premises.

SECTION 11. Section 8.04.316 is hereby added to read as follows:

8.04.316 – Motion picture catering operation.

A "motion picture catering operation" shall consist of a mobile food facility, no more than two mobile storage vehicles and outdoor food preparation and service areas, where the operator is under contract to operate at a licensed film studio or at a site with a permit for filming on location, which permit is issued by the appropriate city or the county.

SECTION 12. Section 8.04.442 is hereby amended to read as follows:

8.04.442 - Swimming pool, low risk/limited use

"Swimming pool, low risk/limited use," means a swimming pool, as defined in Section 8.04.440, located at multiple family dwellings with four (4) or more living units, mobile home parks, and community pools that serve a collection of single family dwellings, and pools operated for six (6) months or less during the year that are kept empty when not in operation.

SECTION 13. Section 8.04.720 is hereby amended to read as follows:

8.04.720 - Fee schedule.

Business Classification	Permit Fee
Animal food market	\$175.00
Animal keeper:	

Category I	454.00
Category II	562.00
Category III	616.00
Boarding home:	
7 to 15 persons	508.00
16 to 50 persons	616.00
51 or more persons	681.00
Body art facility:	
1 to 3 practitioners	368.00
4 or more practitioners	443.00
<u>Chargeable re-inspection</u>	<u>141.00</u>
Caterer:	
0 to 999 square feet	1,895.00
1,000 to 1,999 square feet	2,069.00
2,000 or more square feet	2,624.00
Certified farmers' markets sponsor:	
1 to 20 certified producers	187.00
21 or more certified producers	281.00

Children's camp	671.00
Children's day camp	865.00
Commercial sex venue	1,088.00
Commercial laundry:	
Less than 4,000 square feet	260.00
More than 4,000 square feet	671.00
<u>Cottage food operation, Class B</u>	<u>254.00</u>
Fertilizer manufacturer	1,557.00
Food demonstrator	379.00
Food facility or food establishment re-inspection	126.00
Food market, retail:	
1 to 1,999 square feet—low risk	251.00
1 to 1,999 square feet—moderate risk	629.00
1 to 1,999 square feet—high risk	1,003.00
2,000 or more square feet—low risk	337.00
2,000 or more square feet—moderate risk	719.00
2,000 or more square feet—high risk	1,166.00
Food market, wholesale	856.00

Food market complex, wholesale	1,250.00
Food processing establishment:	
<u>Low risk</u>	<u>955.00</u>
Less than 2,000 square feet of food preparation	2,000.00
2,000 to 5,999 square feet of food preparation	2,354.00
6,000 square feet or more of food preparation	2,624.00
Reinspection—all sizes	174.00
Food salvager	1,817.00
Food vehicle:	
Food vehicle, independent delivery	110.00
Mobile food facility—food cart, low risk	342.00
Mobile food facility—food cart, high risk	671.00
Mobile food facility—food truck, low risk	602.00
Mobile food facility—food truck, high risk	787.00
Food vehicle commissary:	
0 to 10 vehicles	498.00
11 or more vehicles	567.00
Food vehicle storage facility	332.00

Food vehicle cleaning and storage facility	366.00
Food warehouse:	
1 to 4,999 square feet	352.00
5,000 or more square feet	387.00
Garment manufacturing establishment:	
Up to 1,000 square feet	519.00
1,001 to 4,999 square feet	584.00
5,000 to 9,999 square feet	606.00
10,000 to 19,999 square feet	627.00
More than 20,000 square feet	692.00
Garment manufacturing complex	671.00
Hotel or motel:	
6 to 10 rooms	433.00
11 to 20 rooms	433.00
21 to 50 rooms	530.00
51 to 100 rooms	552.00
101 rooms and over	649.00
Laundry (self-service):	

Less than 4,000 square feet of work rooms	162.00
4,000 square feet or more of work rooms	221.00
<u>Motion picture catering operation</u>	<u>1,009.00</u>
Multiple-dwelling units:	
Apartments—5 to 10 units	299.00
Apartments—11 to 20 units	309.00
Apartments—21 to 50 units	368.00
Apartments—51 to 100 units	394.00
Apartments—101+ units	417.00
Condominiums—5 to 10 units	110.00
Condominiums—11 to 20 units	120.00
Condominiums—21 to 50 units	133.00
Condominiums—51 to 100 units	194.00
Condominiums—101 or more units	284.00
Personal hawker	195.00
Private boarding school	649.00
Private school cafeteria	476.00
Recycled water:	

Inspection	260.00
Use site registration	65.00
Residential hotel/single room occupancy:	
6 to 10 units	433.00
11 to 20 units	433.00
21 to 50 units	530.00
51 to 100 units	552.00
101 or more units	649.00
Restaurant:	
0 to 30 seats—low risk	277.00
0 to 30 seats—moderate risk	625.00
0 to 30 seats—high risk	1,049.00
31 to 60 seats—low risk	299.00
31 to 60 seats—moderate risk	663.00
31 to 60 seats—high risk	1,138.00
61 to 150 seats—low risk	322.00
61 to 150 seats—moderate risk	729.00
61 to 150 seats—high risk	1,196.00

151 seats or more—low risk	348.00
151 seats or more—moderate risk	810.00
151 seats or more—high risk	1,250.00
(In computing drive-in restaurant seating capacity, each customer parking space shall be calculated as equivalent to a seating capacity of two. Notwithstanding any of the foregoing, when the restaurant is a snack bar or refreshment stand on the premises of a walk-in or drive-in theater, as set forth in Section 8.04.400 of this chapter, the fee shall be equivalent to that imposed on a restaurant of less than thirty (30) seats.)	
Senior feeding site	314.00
Septic tank, cesspool, chemical toilet, or seepage—pit cleaning vehicle	182.00
Swap meet prepackaged food booth	158.00
Swimming pool or public swimming area:	
High risk:	
First pool at location	876.00
Each additional pool at the same location	454.00
Low risk:	
First pool at location	238.00
Each additional pool at the same location	141.00

Moderate risk:	
First pool at location	584.00
Each additional pool at the same location	303.00
Theater (including drive-in)	234.00
Tobacco retail license fee	235.00
Toilet rental agency	476.00
Vending machines:	62.00
<u>1-3 vending machines</u>	<u>62.00</u>
<u>Each additional machine</u>	<u>23.00</u>
Water systems:	
15 to 24 service connections	1,103.00
25 to 99 service connections	1,233.00
100 to 199 service connections	1,363.00
Local small water system (1 to 4 service connections)	714.00
State small water system (5 to 14 service connections)	844.00
Non-community water system non-transient	844.00
Non-community water system transient	844.00
Wiping rag business	714.00

SECTION 14. Section 8.04.725 is hereby amended to read as follows:

8.04.725 - Schedule of plan check fees.

The Schedule of Plan Check fees to be paid at the time plans are submitted to the County health officer shall be as follows:

Business Classification	Plan Check Fees
Body art facility:	990.00
<u>Permanent cosmetics</u>	<u>298.00</u>
<u>Remodel</u>	<u>298.00</u>
<u>Tattooing, Piercing, Branding</u>	<u>494.00</u>
Mobile body art facility	990.00
Cross-connection	1,557.00
Food facility remodel,	
300 square feet or less	274.00
Food market, retail:	
25 to 50 square feet	746.00
51 to 1,999 square feet	973.00
2,000 to 5,999 square feet	1,071.00
6,000 to 19,999 square feet	1,363.00

20,000 or more square feet	1,655.00
Food market, wholesale	1,304.00
Food market complex, wholesale	2,012.00
Food processing establishment:	
1 to 1,999 square feet	1,525.00
2,000 to 5,999 square feet	1,882.00
6,000 or more square feet	2,249.00
Food salvager	464.00
Food vehicle, retail	649.00
Food vehicle commissary	692.00
Food vehicle storage facility	175.00
Food vehicle cleaning and storage facility	175.00
Food warehouse:	
0 to 500 square feet	746.00
501 to 4,999 square feet	876.00
5,000 to 9,999 square feet	1,006.00
10,000 or more square feet	1,103.00
Radiation health:	

Dental	357.00
Other	699.00
Restaurant:	
Less than 500 square feet	908.00
500 to 1,999 square feet	1,330.00
2,000 to 3,999 square feet	1,622.00
4,000 to 9,999 square feet	1,979.00
10,000 or more square feet	2,368.00
Swimming pool, public—new	1,038.00
Swimming pool, public—major renovation	389.00
Swimming pool, public—minor renovation	130.00
Swimming pool, public—standard renovation	260.00
Water systems:	
Community water systems (new or revised or ownership change)	1,298.00
Non-community water system (new or revised or ownership change)	1,038.00

SECTION 15. Section 8.04.728 is hereby amended to read as follows:

8.04.728 - Service charges—Basis—Payment.

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F. Following is the Schedule of Service Charges for services provided by the County health officer. Failure to pay said fees constitutes a violation of this section and may be prosecuted as such.

Backflow prevention assembly (each):	\$20.00
Backflow prevention device tester:	
Biennial certification examination tester fee	296.00
Listing of certified backflow prevention device testers	240.00
Body art facility, temporary	130.00
Body art practitioner:	
Annual certificate of registration	47.00
Body art temporary event promoter	1,426.00
Body art:	
<u>Bloodborne pathogens exposure control training approval</u>	<u>434.00</u>
<u>Practitioner annual certificate of registration</u>	<u>47.00</u>
<u>Temporary event promoter</u>	<u>1,426.00</u>
<u>Temporary facility</u>	<u>130.00</u>
Coastal Commission—Approval in concept	392.00

Community event (a separate permit is required for each event and each location):	
Community event organizer	311.00
Temporary food facility—demonstrator	51.00
Temporary food facility—prepackaged	71.00
Temporary food facility—prepackaged with food sampling	101.00
Temporary food facility—food preparation	160.00
Temporary food booth at single location-Annual, food preparation	441.00
Temporary food booth at single location-Annual, Prepackaged	143.00
Temporary food booth at single location-Annual, Prepackaged with food sampling	182.00
<u>Cottage food operation:</u>	
<u>Class A, annual registration</u>	<u>103.00</u>
<u>Complaint investigation</u>	<u>184.00</u>
Entomology:	
Specimen identification	41.00

Massage parlor:	
Massage parlor inspection	175.00
Mountain cabin site:	
County health officer inspection (per United States Forest Service requirements)	Standard Billing Hourly Rate
Non-diagnostic laboratories:	
Annual fee	150.00
Additional fee site	48.00
Additional diagnostic test fee	144.00
Owner initiated inspection:	
a. Restaurant—low risk	287.00
b. Restaurant—moderate risk	340.00
c. Restaurant—high risk, Caterer, or Mobile Food Facility, <u>or</u> <u>Motion Picture Catering Operation</u>	383.00
d. Food market retail—low risk	250.00
e. Food market retail—moderate risk	312.00
f. Food market retail—high risk	333.00
Private sewage disposal system:	

County health officer inspection (per VAFHA requirements)	365.00
County health officer permit (per Title 28, Los Angeles County Code, Ordinance 2269, Section 1109):	
New system	389.00
Existing system	454.00
Public health license waiver letter request (garment industry)	249.00
Public/state water system enforcement activities:	
Public water system administrative hearing	324.00
Public water system citation	649.00
Public water system NOV	260.00
State—local water system administration hearing	324.00
State—local water system citation	519.00
State—local water system NOV	260.00
Site transfer/site address change	51.00
Soft serve high count resample	389.00
Swimming pool service technician/apprentice exam and certification:	
Swimming pool service technician/apprentice exam	184.00

Swimming pool service technician/apprentice technician certification renewal fee	65.00
Water sampling—commercial for USDA	714.00
Water supply yield:	
Water supply yield test—commercial	1,038.00
Water supply yield test—residential four (4) connections or less	844.00
Water supply yield test—residential each additional connections beyond four (4)	519.00
Water treatment system evaluation	519.00
Wells:	
Monitoring well construction (less than twenty-five (25) wells per parcel)	519.00
Monitoring well construction twenty-five (25) or more wells per parcel	130.00
Well construction (production, cathodic, irrigation)	844.00
Well destruction—or renovation (production, cathodic, irrigation)	1,103.00
Geothermal heat exchange well construction	519.00

Well application cancellation	65.00
Well site plan review	584.00

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